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Attorneys for Defendant Triumph International, LLC

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MJL 12, LLC, a Nevada limited liability
Company,

Plaintiff,

vs.

MJJ PRODUCTIONS, LLC, a California
limited liability company; MJ PUBLISHING
TRUST d/b/a MIJAC MUSIC; TRIUMPH
INTERNATIONAL, INC., a California
corporation; and TRIUMPH
INTERNATIONAL, LLC, a California limited
liability company,

Defendants.

CASE NO. 2:24-cv-00122-GMN-EJY

**STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME TO
RESPOND TO PLAINTIFF'S SECOND
AMENDED COMPLAINT**

(FIRST REQUEST)

Pursuant to Federal Rule of Civil Procedure 6 and Local Rule IA 6-1, the parties, by and through their undersigned counsel of record, hereby agree and stipulate that Defendant Triumph International, LLC ("Triumph") shall have an additional 30 days to respond to

1 Plaintiff MJL 12, LLC's Second Amended Complaint for Declaratory and Other Relief from
2 February 7, 2025, until March 10, 2025. This stipulation is made with reference to the following facts:

3 1. Plaintiff filed its Complaint for Declaratory and Other Relief on January 17, 2024.
4 (ECF No. 1.) On February 26, 2024, Plaintiff sent Defendants a request to waive formal service of
5 the Summons and Complaint. (ECF No. 7.) Defendants executed the waiver on March 11, 2024.
6 (*Ibid.*) As a result, Defendants' answer or other response to the Complaint was due on April 26, 2024.
7 (*Ibid.*) On March 20, 2024, Plaintiff voluntarily dismissed all Defendants other than Triumph without
8 prejudice. (ECF No. 6.)

9 2. On April 26, 2024, Triumph filed its Original Motion to Dismiss (ECF No. 13) seeking
10 to dismiss Plaintiff's seventh claim for relief pursuant to Nevada's Anti-SLAPP statute and seeking
11 to dismiss Plaintiff's sixth and seventh claims pursuant to either or both Rule 12(b)(1) and 12(b)(6)
12 of the Federal Rules of Civil Procedure.

13 3. On May 17, 2024, Plaintiff dismissed its seventh claim for relief without prejudice,
14 filed a First Amended Complaint, and filed a response to the Original Motion to Dismiss.
15 (ECF Nos. 24, 25, 26.)

16 4. In light of Plaintiff's filing of a First Amended Complaint and its dismissal without
17 prejudice of its seventh claim for relief, the parties agreed that Triumph's Original Motion to Dismiss
18 (ECF No. 13) is now moot and therefore need not be decided. The Court granted the parties'
19 stipulation to withdraw Triumph's Original Motion to Dismiss and extended Triumph's time to file
20 and serve its response to the First Amended Complaint. (ECF No. 28). Triumph filed its Second
21 Motion to Dismiss the First Amended Complaint on June 14, 2024. (ECF No. 29).

22 5. On January 3, 2025, the Court entered an order granting in part and denying in part
23 Triumph's Second Motion to Dismiss. (ECF No. 39). The Court gave Plaintiff 21 days from the date
24 of the order to file an amended complaint.

25 6. On January 24, 2025, Plaintiff filed its Second Amended Complaint for Declaratory
26 and Other Relief. (ECF No. 41).

27 7. To accommodate Triumph's counsel's schedule, Plaintiff has agreed to Triumph's
28 request for a 30-day extension of Triumph's deadline to respond to the Second Amended Complaint

1 from February 7, 2025, until March 10, 2025. In addition, Triumph agrees that if Plaintiff needs
 2 additional time to respond to Triumph's response to the Second Amended Complaint, Triumph will
 3 accommodate Plaintiff's reasonable request, and at this time the parties agree MJL 12's response
 4 deadline to Triumph's filing will be extended until April 21, 2025.

5 8. This is the first request for an extension of time to respond to the First Amended
 6 Complaint.

7 **IT IS SO STIPULATED.**

8 HOWARD & HOWARD ATTORNEYS PLLC

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9 By: /s/ W. West Allen

By: /s/ Daniel R. Brady

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21 *Attorneys for Defendant*

Triumph International, LLC

22 **IT IS SO ORDERED:**

23 
 24 UNITED STATES MAGISTRATE JUDGE

25 DATED: February 6, 2025

26 CASE NO. 2:24-cv-00122-GMN-EJY